

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

---

**MARIE R. LUCERO,**

**Plaintiff,**

**v.**

**MICHAEL J. ASTRUE,  
Commissioner of Social Security,**

**Defendant.**

---

:  
:  
:  
:  
:  
:  
:  
:  
:  
:

**CIVIL ACTION  
NO. 09-2610**

**ORDER**

**AND NOW**, this 26th day of September 2011, after careful review and independent consideration of Plaintiff's request for review, Defendant's response, the Report and Recommendation of United States Magistrate Judge Lynne Sitarski, the objections to the Report and Recommendation and the response thereto, it is hereby **ORDERED** that:

1. The Objections to Report and Recommendation are **SUSTAINED**;
1. The Report and Recommendation is **REJECTED IN PART** as set forth in the accompanying Memorandum Opinion;
2. The Plaintiff's request for reversal is **GRANTED**; and
3. The case is **REMANDED** to the Commissioner for further review consistent with the Report and Recommendation and the accompanying Memorandum Opinion pursuant to the fourth sentence of 42 U.S.C. § 405(g).

It is so **ORDERED**.

**BY THE COURT:**

**/s/ Cynthia M. Rufe**

---

**CYNTHIA M. RUFÉ, J.**